

**CITY OF HELENA**  
**REGULAR CITY COMMISSION MEETING**  
**August 17, 2009**  
**6:00 P.M.**

**Time & Place** A regular City Commission meeting was held on Monday, August 17, 2009 at 6:00 p.m., in the Commission Chambers, 316 N. Park Avenue, Helena, Montana.

**Members Present** Mayor Smith indicated for the record that Commissioners Cartwright, Peura, Shropshire and Elsaesser were present. Acting City Manager David Nielsen, Acting City Attorney Thomas Jodoin and Deputy City Clerk Robyn Brown were present. Others present were Jim Penner representing the Helena Citizens Council.

**Pledge of Allegiance** Mayor Smith asked Joseph Martinez of Boy Scout Troop #214 to please stand and lead the pledge of allegiance.

**Minutes** The minutes of the regular City Commission meeting of August 3, 2009 were approved as submitted.

**Appointments** APPOINTMENTS:  
A. Helena Regional Airport Authority

Mayor Smith asked for Commission concurrence on the following appointments:

Helena Regional Airport Authority – Appointment of William Beaman to a first full term. Term will begin September 1, 2009 and expire on August 31, 2012.

Public comment Mayor Smith asked for public comment, none was received.

**Motion** Commissioner Elsaesser moved approval of the appointment to the Helena Regional Airport Authority as outlined above. Commissioner Shropshire seconded the motion. All voted aye, motion carried.

**Consent Agenda** CONSENT AGENDA:  
A. Claims  
B. Resolution declaring tangible personal property owned by the City of Helena to be Surplus Property and authorizing the sale of that property Res #19661  
C. Amended plat showing the alley vacation in Block 24 of the Grand Avenue Addition per Resolution #19640

Acting City Manager David Nielsen recommended approval of the claims and the consent agenda.

Public Comment Mayor Smith asked for public comment, none was received.

**Motion** Commissioner Peura moved approval of items A through C on the consent agenda. Commissioner Cartwright seconded the motion. All voted aye, motion carried.

**Bid Award**

BID AWARD:

A. Solid Waste Division – transfer trailer

The transfer trailer bid award was removed from the agenda per Public Works staff's request.

B. 2009 Stimulus Projects

**Staff Report**

City Engineer Ryan Leland reported the City of Helena has been awarded \$1,241,601.21 in stimulus funding. The funding is set up as a low interest loan (1.9%) with \$807,000 of the loan to be forgiven. The 2009 City of Helena Stimulus Project consists of three (3) schedules: the Laurel Street Water and Sewer Project, the 54" Brick Storm Drain Rehabilitation from 6<sup>th</sup> Avenue to Placer, and the Airport Road Water Main Slipline. The project was advertised so that each schedule could be independently awarded to the lowest responsible bidder for each schedule.

The city opened seven bids on August 4, 2009. There were four bids for the Laurel Water and Sewer Project, two bids for the Brick Storm Drain Project, and one bid for the Airport Road Slipline Project. The lowest responsible bidders are as follows:

Laurel Street Water and Sewer Project (Schedule 1) – Helena Sand & Gravel, Inc. of Helena in the amount of \$617,617

Airport Road Slipline Project (Schedule 2) – Robert Gibb and Sons of North Dakota in the amount of \$747,924

54" Brick Storm Drain Project (Schedule 3) – Insituform Technologies, Inc. of Missouri in the amount of \$410,222

Mr. Leland recommended approval of the above listed bid awards as the projects will replace and rehabilitate aging infrastructure at risk of failure. The federal stimulus funds and low interest loan allow the city to accelerate the capital improvements and supports the national and state programs for economic recovery.

**Comment**

Commissioner Peura asked that the Commission be provided a report on how these stimulus funded projects impact the Comprehensive Capital Improvement Program (CCIP), as it may affect the Commission's rate discussions. Mr. Leland confirmed staff would supply the requested information.

Commissioner Shropshire asked if the out of state bidders would hire locally? Mr. Leland explained some portions of the projects may be completed by local contractors.

**Public Comment**

Mayor Smith asked for public comment, none was received.

**Motion**

**Commissioner Peura moved to award the contract for Schedule 1 to Helena Sand & Gravel, Inc. of Helena in the amount of \$617,617; Schedule 2 to Robert Gibb and Sons of North Dakota in the amount of \$747,924; and Schedule 3, both the base bid and the additive alternate, to Insituform Technologies, Inc. of Missouri in the amount of \$410,222.** Commissioner Elsaesser seconded the motion. All voted aye, motion carried.

<b>Communications</b>	<p>COMMUNICATIONS/PROPOSALS FROM COMMISSIONERS</p> <p>Commissioner Peura spoke of Ms. Selma Held who passed away a week ago; she was essential in developing undeveloped parks throughout Helena. Mayor Smith announced a memorial service would be held for Ms. Held on September 20, 2009 at the Holter Museum.</p> <p>Commissioner Cartwright spoke of government-run healthcare.</p>
<b>Report of the City Attorney</b>	<p>REPORT OF THE CITY ATTORNEY</p> <p>No report was given.</p>
<b>Report of the City Manager</b>	<p>REPORT OF THE CITY MANAGER</p> <p>Acting City Manager Nielsen emphasized the importance of the August 24, 2009 Administrative Meeting, as funding of the Open Lands Fuel Reduction and Restoration Strategy will be discussed.</p>
<b>Report from the Helena Citizens Council</b>	<p>REPORT FROM THE HELENA CITIZENS COUNCIL</p> <p>HCC member Jim Penner reported there are 18 candidates for the HCC and explained interested persons could become write-in candidates. He spoke of the current publicity campaign for the HCC's website.</p>
<b>INTERCAP Loan</b>	<p>CONSIDER SUBMISSION OF AN APPLICATION TO THE MONTANA BOARD OF INVESTMENTS, INTERCAP LOAN PROGRAM, TO BORROW UP TO \$150,000 TO FUND THE 2009-2010 SIDEWALK PROGRAM.</p>
Staff Report	<p>City Controller Glenn Jorgenson reported the city has a sidewalk replacement program for city residents. The current program allows citizens to borrow the funds over ten years at a zero (0.00%) rate of interest. The general fund pays the interest portion of the loan. The fiscal year 2010 budget includes \$150,000 to fund the 2009-2010 program; staff is recommending applying to the State of Montana, Board of Investments INTERCAP loan program to fund the interest portion of the program.</p> <p>If the loan is approved, the city will contract with citizens to replace their sidewalks, and then bid work during the fall and spring as necessary to replace as many sidewalks as possible. The city will borrow the funds after the work is complete and a resolution will need to be approved at that time.</p> <p>Mr. Jorgenson recommended approval of the application as it would allow citizens to improve their sidewalks and hopefully reduce accidents throughout the city.</p>
Commission comment	<p>The Commission spoke in support of the program and the proposed loan amount. Discussion was held on the advertising and outreach strategy for the program; staff was encouraged to notify the public that they must act fast to secure funding as the budget is only \$150,000 this year.</p>
Public comment	<p>Mayor Smith called for public comment, none was received.</p>

- Motion** **Commissioner Cartwright moved approval to submit an application to the Montana Board of Investments, INTERCAP Loan Program, to borrow up to \$150,000 to fund the 2009-2010 Sidewalk Program.** Commissioner Shropshire seconded the motion. All voted aye, motion carried.
- Intent to Annex** CONSIDER A RESOLUTION OF INTENTION TO ANNEX LOTS 7 & 8 IN BLOCK 10 OF THE WEST HELENA TOWNSITE, HELENA, MONTANA WITH A PROPERTY ADDRESS OF 2510 COUNTRY CLUB AVENUE.
- Staff Report** City Planner Dustin Ramoie reported the property located at 2510 Country Club Avenue contains approximately 10,000 square feet and is currently located adjacent to the city limits. It is not currently connected to the adjacent wastewater main. Any new development would have to connect to the main, and the property is under construction with a single family home and has been pre-zoned R-2.  
City Code requires a petition to annex to connect to city services and state law requires the full width of ROW be annexed when they are adjacent to property being annexed. The proposed resolution of intention to annex establishes the conditions for annexation to the City of Helena as an intermediate step toward the finalization of annexation.  
Mr. Ramoie recommended approval of the resolution of intention as annexation of the property would require development of the parcel to city standards and permit connection to city services.
- Public comment** Mayor Smith called for public comment.  
Ken Swain, applicant; spoke in support of the resolution of intent to annex.
- Motion** **Commissioner Cartwright moved approval for a resolution of intention to annex Lots 7 and 8 in Block 10 of the West Helena Townsite, Helena, Montana; and the full width of the adjacent Country Club Avenue and Lea Street ROW, as legally described in the resolution, and to establish conditions for annexation.** Commissioner Elsaesser seconded the motion. All voted aye, motion carried. **Res #19662**
- Public Hearings** PUBLIC HEARINGS:  
A. CONSIDER FIRST PASSAGE OF AN ORDINANCE INCREASING THE SALARIES OF THE MEMBERS OF THE CITY COMMISSION OF THE CITY OF HELENA AND OF THE MAYOR OF THE CITY OF HELENA.
- Staff Report** Human Resources Director Rae Lynn Nielsen reported presently the Mayor is paid \$7800 annually with a \$150 per month expense account. The City Commission is paid \$6000 annually with a \$75 per month expense account. A survey of the salaries of the Mayor and Commission/Council members of the six major cities was conducted and the results were presented to the Commission at an Administrative Meeting.  
Director Nielsen proposed to increase the Mayor's annual salary to \$8500 and maintain the current monthly expense allowance of \$150. She also recommended increasing the City Commission's annual salary to \$6800 and the monthly expense allowance to \$100, based on the

salary survey results. The City Charter dictates when an increase can be implemented; the proposed increases would become effective January 1, 2012 following the November 2011 election. Director Nielsen noted the increases would follow the methodology of the city's pay matrix and allow for the city attract and retain candidates.

**Commission comment**                    The Commission spoke in support of the pay increase because it would bring the Commission's salary closer to the most recent market analysis and average, provide fair compensation, and there hasn't been an increase since 2001.

**Public Testimony**                    Mayor Smith declared the public portion of the hearing open and called for any persons wishing to address the Commission.  
There being no persons wishing to address the Commission, Mayor Smith closed the public hearing.

**Motion**                                    **Commissioner Peura moved approval of first passage of an ordinance to increase the Mayor and City Commission salaries effective January 1, 2012.** Commissioner Cartwright seconded the motion. All voted aye, motion carried. **Ord #3114**

**Public Communications**                PUBLIC COMMUNICATIONS  
No public communications were given.

**Meetings of Interest**                    MEETINGS OF INTEREST  
The next Administrative Meetings are Monday, August 24, 2009 and Wednesday, September 3, 2009. The next Commission Meeting is Monday, September 14, 2009 and the City/County Joint Work Session will be held on Thursday, September 3, 2009.

**Adjournment**                            There being no further business to come before the Commission, the meeting was adjourned at 7:00p.m.

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Mayor James E. Smith

ATTEST:

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Clerk of the Commission